

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

Dated this the 18th day of June, 1998

Before:

THE HON'BLE MR. JUSTICE R.V. RAVEENDRAN

Writ Petition Nos. 31506 to 31535/1993

Skyline Advertising (P) Ltd.,
by Managing Director -
Ram Rattan Sol,
Registered Office, A-1,
Bose Compound, 14th Cross,
Wilson Garden, Bangalore-560 030 ..Petitioner

(By Sri A.K. Subbaiah & Sri Satish
G. Raikar, Advocates)

-Vs-

1. The Commissioner,
Corporation of City of Bangalore,
(Bangalore Mahanagara Palike),
Corporation Offices,
Bangalore-560 002;
2. The Deputy Commissioner,
(Administration),
Bangalore Mahanagara Palike,
Corporation Offices,
Bangalore - 560 002 ..Respondents

(By Sri K.N.Puttegowda, Advocate)

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Writ Petitions are filed praying to direct the respondents not to demolish the display hoardings as per Annexure-D.

These writ petitions coming on for hearing this day, the Court made the following:-

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The petitioner an Advertising Agency, claims that 22 hoardings mentioned in Annexure-A erected by the petitioner, were duly authorised, regularised and permitted for a period of three years from 1-4-1991 to 31-3-1994 as per Annexure-A dated 10-10-1991. Petitioner contends that it has paid the Advertisement Tax in regard to the 22 hoardings plus another eight hoardings in all 30 hoardings listed in Annexure-D. According to the petitioner, apart from the 22 hoardings which have been licensed for the period 1-4-1991 to 31-3-1994, the other 8 hoardings have been in existence for a period of 30 years and in regard to them the advertisement tax had been paid upto September, 1993. Petitioner alleges that the respondent-Corporation has attempted to demolish the said hoardings. The petitioner, therefore, has filed these petitions seeking a direction to the respondents not to demolish any of the display hoardings listed in Annexure-D.

2. The petitioner claims in the petition, the right to display the advertisement on such hoardings only upto 31-3-1994 in regard to 22 hoardings and

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upto September, 1993 in regard to the remaining 8 hoardings. The said periods have expired during the pendency of these petitions, the petitions have become infructuous.

3. This Court on 3-9-1993 granted an interim order directing respondents not to demolish the hoardings listed in Annexure-D and consequently the petitioner has continued to exhibit advertisement on the said thirty hoardings.

4. In view of the above these petitions are dismissed as having become infructuous with the following observations:-

(a) The petitioner shall apply for renewal/ permission in regard to 22 Hoardings and fresh permission in regard to the remaining 8 Hoardings (listed in Annexure-D) within six weeks.

(b) The petitioner shall be liable to pay Advertisement Tax in regard to all the 30 Hoardings in regard to the period when the interim order in force. If it has not already paid ~~is~~ such ^{amount} ~~payment~~, if in arrears shall be paid within six weeks.

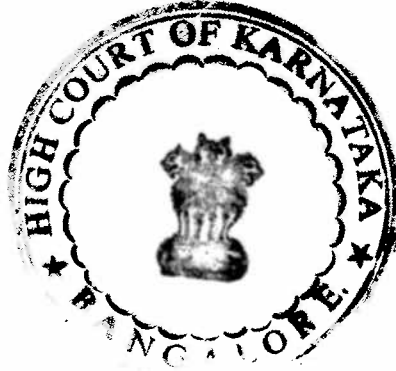
(c) If there are any arrears and the same is not paid within six weeks, the respondents will be

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at liberty to remove the hoardings in accordance with Section 138.

(d) The Hoardings shall not be removed, subject to compliance with para (a) and (b) by petitioner, till a decision is taken under Section 135 on the application for permission/renewal.

Sd/-
JUDGE



bnr/ufk